

Congress of the United States
Washington, DC 20515

July 10, 2007

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The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Federal Communications Commission
Office of the Secretary

Re: Implementing a Nationwide, Broadband, Interoperable Public Safety Communications Network in the 700 Mhz Band; Development of Operational, Technical, and Spectrum Requirements for Meeting Federal State and Local Public Safety Communications Requirements Through the Year 2010 PS Docket #06-229, WT Docket #96-86.

Dear Chairman Martin:

We wrote on May 17th expressing support for a conditional auction on a portion of spectrum in the upper 700 Mhz band to establish a nationwide, public-safety broadband network. As we previously stated, our nation's first responder communications are fragmented and balkanized, and this auction provides the last opportunity to resolve this critical flaw in our nation's emergency response capabilities.

To this effect, we remain strongly supportive of the FCC's proposed rulemaking and believe that a public-private partnership is the best means of achieving true, nationwide interoperability and preventing future communication problems experienced in the response to 9/11 and Hurricane Katrina. Without public-private partnership related service rules attached to a proposed "E-block" of spectrum, it is unlikely that public safety will ever raise adequate funding for the construction of a nationwide network, nor can public safety sufficiently incentivize commercial providers to build a nationwide network after this auction.

Furthermore, we believe the "E-block" must be auctioned as a nationwide license. A regional division of licenses for the public-private partnership defeats the purpose of your rulemaking, which is to create a nationwide network free from regional and local conflicts over governance, technology, and funding. The allocation of several regional licenses could force the national public safety licensee to negotiate with multiple auction winners each with different business strategies and regional concerns. This situation may result in a patchwork of regional networks that will undermine the Commission's intent.

Additionally, though we are mindful of public safety's reservations, we believe an open access requirement placed on the "E-block" will advance the public policy goals of the Further Notice of Proposed Rulemaking (FNPR). By allowing a wider range of devices and applications than are currently available, open access can promote innovation, accessibility, and greater competition in the wireless market while providing the country's first responders with true interoperability at a lower cost.

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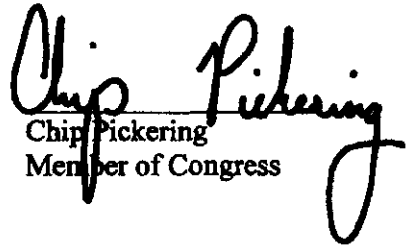
We believe that the Commission's FNPR reflects the right policy on public safety interoperability and seizes this unprecedented opportunity to address our nation's continuing interoperability problem by proposing appropriate service and auction rules for the proposed "E-block." We owe it to the victims of Katrina, 9/11, and each and every emergency in which first responders struggle to communicate with each other.

We respectfully request this letter be placed in the public comment file with respect to the above mentioned proceeding.

Sincerely,



Jane Harman
Member of Congress



Chip Pickering
Member of Congress

Cc:

Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Deborah Taylor Tate